

REMARKS

Claims 1-9 and 11-16 are pending in the present application. Claim 10 was canceled previously, and no claims have been amended herein. No new matter has been added.

Applicants respectfully request reconsideration of the claims in view of the following remarks.

Claims 1-8 and 11-16 have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over U.S. Patent Application Publication No. 2006/0036719 (hereinafter “Bodin”) in view of U.S. Patent Application Publication No. 2004/0052259 (hereinafter “Garcia”). Claim 9 has been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Bodin in view of Garcia and U.S. Patent Application Publication No. 2005/0125518 (hereinafter “Knees”). Applicants respectfully traverse these rejections.

Applicants respectfully note that the present application claims the priority to U.S. Provisional Application No. 60/530,902, which was filed December 22, 2003. On the other hand, Bodin, which was published as U.S. Patent Application Publication No. 2006/0036719 on February 16, 2006 and as WO/2004/051944 on June 17, 2004, was first published only after the filing date of the provisional application of the present application. Hence, Bodin qualifies as prior art only under 35 U.S.C. § 102(e). However, Bodin was commonly owned by, or subject to an obligation of assignment to, a common assignee, Operax AB, and hence per 35 U.S.C. § 103(c) does not qualify as prior art under any of sections (e), (f), or (g) of 35 U.S.C. § 102. These patent applications have since been assigned to NetSocket, Inc.

Examiner’s attention is respectfully directed to the Statement of Common Ownership submitted herewith. Accordingly, Bodin is not available as prior art and the combination relied upon by the Examiner cannot be used as grounds for a rejection under 35 U.S.C. § 103(a). The

rejected claims 1-9 and 11-16 are therefore allowable over the rejection. Reconsideration and allowance are respectfully requested.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Roger C. Knapp, Applicants' Attorney, at 972-732-1001, so that such issues may be resolved as expeditiously as possible. The Commissioner is hereby authorized to charge any fees due, or credit any overpayment, to Deposit Account No. 50-1065.

Respectfully submitted,

May 13, 2010
Date

/Roger C. Knapp/
Roger C. Knapp
Attorney for Applicants
Reg. No. 46,836

SLATER & MATSIL, L.L.P.
17950 Preston Rd., Suite 1000
Dallas, Texas 75252
Tel.: 972-732-1001
Fax: 972-732-9218